

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

BERNADINE T. GRIFFITH

Plaintiff,

v.

**ONEBEACON INSURANCE COMPANY,
ONEBEACON AMERICA INSURANCE
COMPANY, MICHAEL A. SISTO, and
KAREN ALLEN HOLMES**

Defendants.

C.A. No. 03-CV-12573-EFH

**DEFENDANTS' MOTION FOR LEAVE TO EXTEND
THE DEPOSITION OF PLAINTIFF BERNADINE T. GRIFFITH**

NOW COME Defendants OneBeacon Insurance Company, OneBeacon America Insurance Company, Michael A. Sisto, and Karen Allen Holmes (collectively, "Defendants") pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure and respectfully request an additional seven hours for the taking of Plaintiff Bernadine T. Griffith's ("Plaintiff" or "Ms. Griffith") deposition.

As grounds for their motion, Defendants state that the factual background of the instant matter spans in excess of ten years and involves allegations of mistreatment on a daily basis across those ten plus years. Plaintiff's eleven count, thirty-seven page Complaint against the four Defendants includes claims for discrimination under the Americans with Disabilities Act, Title VII, and the Age Discrimination in Employment Act as well as claims for harassment under each of the anti-discrimination statutes, to say nothing of Plaintiff's breach of contract claims.

Additionally, the Complaint incorporates two separate Charges filed at the Massachusetts Commission Against Discrimination. To obtain Plaintiff's version of the facts, Defendants must question Plaintiff regarding her memory of events that occurred on a daily basis for ten years.

Defendants further state that they have accommodated Plaintiff's health concerns by agreeing to take her deposition in four hour intervals over the course of several days. Though Defendants are happy to accommodate Plaintiff, such a shortened schedule that includes times for breaks results in the need for some repetition, which further extends the time needed to take Plaintiff's complete deposition. Should the Court grant Defendants request for additional time with Plaintiff, Defendants will continue to accommodate Plaintiff's health needs.

WHEREFORE, for the foregoing reasons, Defendants respectfully request that this Court grant Defendants an additional seven hours with which to take the deposition of Plaintiff.

Respectfully submitted,

ONEBEACON INSURANCE CO.,
ONEBEACON AMERICA INSURANCE CO.,
MICHAEL A. SISTO, and
KAREN ALLEN HOLMES

By their attorneys

/s/ Leah M. Moore
Keith B. Muntyan (BBO # 361380)
keithmuntyan@morganbrown.com
Leah M. Moore (BBO # 658217)
lmoore@morganbrown.com
MORGAN, BROWN & JOY, LLP
200 State Street
Boston, MA 02109
617-523-6666 (phone)
617-367-3629 (fax)

Dated: February 18, 2005

CERTIFICATE OF SERVICE

I, Leah M. Moore, hereby certify that on this 18th day of February 2004, I caused a true and correct copy of the foregoing to be served via first class mail upon Kathleen J. Hill, Esq., Attorney for Plaintiff, Law Office of Kathleen J. Hill, 92 State Street, Suite 700, Boston, Massachusetts 02109, being the address designated by said attorney for service of all pleadings.

/s/ Leah M. Moore
Leah M. Moore